

THE MESSENGER

FALL 2009

HELLO AGAIN!

Hello everyone, it has been awhile since the last 'MESSENGER' publication. The Criminal Records Division (CRD) adjusted when this newsletter will be published. To keep the articles fresh, exciting and meaningful, CRD decided it would benefit our stakeholders to rotate issues with our other publications

The 'MESSENGER' publication's main focus is on civil applicant submissions and the processing of these requests whether fingerprint based or name and date of birth. The staff at CRD would like to share their knowledge and expertise in this field with you. We welcome any comments or questions you

may have concerning applicant background checks or related topics. So, if you have a burning question you would like answered or information to share with CRD, please call or email Jo Williams at (360) 534-2165 or jo.williams@wsp.wa.gov.

Reminders:

- All agencies may receive monthly billing invoices by email. Contact Lynette Brown at (360) 534-2109 or lynette.brown@wsp.wa.gov if you are interested in learning more.
- The 'MESSENGER' publications are posted on the

WATCH website under publications <https://watch.wsp.wa.gov>.

- The WSP Customer Counter for fingerprint services at 3000 Pacific Avenue, Olympia, WA is closed daily for one hour, 12noon-1:00pm.
- Search results for public information (RCW 10.97) and child adult abuse (RCW 43.43) documents may be received electronically by email. For information about this service contact Lynette Brown at (360) 534-2109 or lynette.brown@wsp.wa.gov.

SUBMITTED BY JO WILLIAMS

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OF INTEREST:

Please help us in keeping your account information up to date. Any changes that occur for contact person, phone numbers or email address for results, contact the Background Check Unit.

Billing questions or changes: Lynette Brown (360) 534-2109 or lynette.brown@wsp.wa.gov
WATCH questions or changes: Tina Marshall (360) 534-2146 or tina.marshall@wsp.wa.gov
Email address for state & FBI results: Jo Williams (360) 534-2164 or jo.williams@wsp.wa.gov

LEGISLATIVE REVIEW

The following bills passed during the 2009 Legislative Session will or may affect the Washington State Patrol's Criminal Records Division and many of its stakeholders:

Long Term Care Workers – Revises certain sections of Initiative 1029 to make technical corrections that will permit the department of social and health services and the department of health to: (1) Conduct background checks on long-term care workers, including a fingerprint check against FBI databases; and (2) Share that information between the two departments. (ESSB 6180)

SUBMITTED BY DEBORAH COLLINSWORTH

School District Fingerprint Record Checks – Eliminates the requirement for WSP to charge only incremental fees for fingerprint-based background checks for school district and educational service district employees. (HB 1852)

Identicards and Enhanced Drivers' Licenses/DOL Background Checks - Requires the Department of Licensing (DOL) to investigate the conviction records of, and pending charges against any current or prospective employee with the ability to issue an Enhanced Drivers License (EDL) or the ability to create or modify records of applicants for an EDL. This in-

vestigation takes the form of a background check through the Washington State Patrol and the Federal Bureau of Investigation. The DOL is also required to reinvestigate such employees every five years. (HB 1844)

Firearm Licenses for Aliens – Repeals the alien firearm statute and new requirements for the possession of firearms by non-citizens are established. It is a class C felony for a person who is not a citizen of the United States to possess a firearm in Washington unless the person is: a lawful permanent resident; a non-immigrant alien

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DELAYED APPLICANT STATE & FEDERAL RESPONSES**SUBMITTED BY DEBORAH COLLINSWORTH**

Does your agency experience delayed or missing responses? Does your agency receive inquiries from your applicants requesting status of their fingerprint based background check?

As you know, anytime there are computer systems involved, technical issues may arise. The Washington State Patrol, Identification and Criminal History Section (Section) has been working diligently in identifying issues that have been causing some responses to be delayed in being returned to your agency in a timely manner, mainly the Federal response.

The Section's Background Check



Unit (BGU) has a procedure implemented to assist you with your numerous inquiries in order to reduce the time it takes to process background checks and to assist us to identify possible issues and/or resolutions for the delayed responses.

When your agency discovers not receiving either the state or federal response to a fingerprint based background check, please complete the CRD Follow-Up Form (please contact our office for a copy of form if you do not already have one). However, we recommend your agency

allow 2 weeks from date of electronic submission or 30 days from date of mailing before requesting status of a background check.

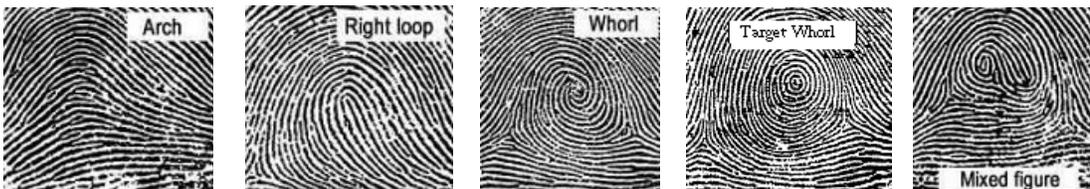
Once completed, these forms may be emailed to CRDApplicantFollowUp@wsp.wa.gov for processing by BGU staff. The BGU will contact the Federal Bureau of Investigation (FBI) on your agency's behalf if needed in order to resolve an issue with a particular applicant response.

Please do not contact the FBI directly to inquire on the status of your applicant background check; by contacting the FBI directly, it makes it more difficult for BGU staff to monitor how well our system is functioning (or not functioning!).

Please feel free to contact Ms. Jo Williams at (360) 534-2165 or jo.williams@wsp.wa.gov if you have questions regarding this procedure.

FINGERPRINTS**SUBMITTED BY BREANNA WORTHINGTON**

Everybody has heard that no two fingerprints are alike, not even with twins. Obviously they are very unique. Have you ever wondered if the different patterns that appear on your fingers mean anything? Here is some information I found on the internet about the psychological characteristics of fingerprint patterns. Although not technically accurate, it is still fun. Take a look at the pictures below and then see what your fingers tell you!



Arches - Self contained, repressive, sensitive, and idealistic. Questioning his/her own actions, becoming more introspective with age through his/her anxiety to avoid error.

Loops - These are the most frequently found patterns and indicated as graceful, adaptable outlook on life. Mental and emotional elasticity, versatile, and emotionally responsive.

Whorls - Creativity, independence, determination and originality unaffected by convention or opposition. The whorl is a point of intensification and is the mark of the individualist. It usually means a leader or a non-conformist who holds strong personal views and often denotes success, particularly when seen on the index and/or ring finger.

The target whorls - [known as plain whorls] Both carry the same usual meanings, but the spiral will be less intense. The peacocks eye which is a whorl enclosed in a loop, adds luck, protection and penetrating perception.

Mixed figure - [known as accidental whorls] Difficult choices and inner conflict. Practical and material minded. Critical, resentful, and lacking elasticity. Likes to travel and explore mysteries.

“LEGISLATIVE REVIEW” CONTINUED FROM PAGE 1...

residing in Washington who has obtained an alien firearm license; or a non-immigrant alien residing outside of Washington who meets certain requirements. (2SHB 1052)

Involuntary Commitment / Firearms – Revises provisions regarding firearms possession by persons who have been involuntarily committed. (HB 1498)

Restoration of Rights to Vote Provisionally restores the right to vote for persons convicted of a felony in a Washington court so long as the person is not under the authority of the Department of Corrections (DOC). A person is "under the authority of the DOC" if the person is serving a sentence of confinement in the custody of the DOC, or is subject to community custody, community placement, or community supervision. (HB 1517)

Consumer Loan Companies – Regulates the business practices of consumer loan companies for compliance with the secure and fair enforcement for mortgage licensing act of 2008. (SHB 1621)

Sealing Juvenile Records – Requires a juvenile's records of a deferred disposition to be sealed within 30 days after the juvenile's 18th birthday if:

- the conditions of the deferred disposition have been completed;

- the deferred disposition has been vacated and the case dismissed with prejudice; and
- the juvenile does not have any pending charges.

If at the time this act takes effect, the juvenile is already 18, the juvenile may request that the court seal his or her records, and that request must be granted. Records that are sealed under this provision have the same legal status as records sealed under other laws governing records related to juvenile offenses. (ESHB 1954)

School Employees Dismissal – The list of crimes for which convictions or pleas of guilty result in mandatory termination is expanded to include crimes such as any felony with sexual motivation, felony indecent exposure, incest, kidnapping, and robbery. The victim of the crime need not be a child or minor. Attempts, conspiracies, or solicitations to commit

any of the crimes on the list are also cause for mandatory termination. The new provisions apply to convictions or pleas of guilty which occur on or after the effective date of the act. (ESHB 1741)

Guardian Ad Litem – Revises procedures for appointment of guardian's ad litem. (SSB 5285)

Juvenile Sex Offenders – Requires WSP to no less than annually notify sex and kidnapping offenders who committed their crime as a juvenile of their ability to petition for relief from registration. The WSP may combine the notice with the annual notice that it already sends out. (SSB 5326)

Drivers License Photo – Authorizes DOL to may make negative files of pictures available to official governmental enforcement agencies for the purpose of verifying identity when the officer is authorized by law to request identification from an individual. (ESSB 5262)

Explosive Licensing Expiration – Changes the background check cycle for renewal of an explosives license from an annual to an every third year requirement. (SHB 1280)



Interior of Washington State Capitol Rotunda

ALIEN FIREARM REMINDER

SUBMITTED BY LYNETTE BROWN

Effective July 26, 2009, a new fee was implemented for Alien Firearm License background checks. The processing fee for an Alien Firearm License is now \$45.25 (\$19.25 FBI fee - \$26.00 state fee) for mailed fingerprint card submissions and \$35.25 (\$19.25 FBI fee - \$16.00 state fee) for submissions transmitted via live scan. If paying for the background check with a check or money order, it must be



for the correct amount of \$45.25 or it will be rejected back to your agency for correct fee.

LIVESCAN FEE REMINDER

SUBMITTED BY LYNETTE BROWN

This is to remind all agencies submitting applicants via live scan that your agency is billed every time you transmit an applicant fingerprint based background check to the Washington State Patrol (WSP).. If submitting an applicant by live scan and it is rejected, the best method is to have the applicant re- printed again (preferably in ink) and mail the card to WSP - DO NOT RE-TRANSMIT. If submission is re-transmitted, a new fee will be billed. The WSP is billed by the Federal Bureau of Investigation (FBI) for each transmission received and does not reimburse for accidental submissions. Please remind agency staff when transmitting to proof the transmission before clicking the "transmit" button, especially when there is a fee involved. If you have any questions or concerns on duplicate submissions, please contact the Background Check Supervisor, Lynette Brown at (360) 534-2109 or email lynette.brown@wsp.wa.gov.